

To: CN=Sally Thomas/OU=R10/O=USEPA/C=US@EPA[]
Cc: []
Bcc: []
From: CN=Tami Fordham/OU=R10/O=USEPA/C=US
Sent: Wed 6/18/2008 12:36:45 AM
Subject: Fw: possible role for IECR?
[Seattle Collaboration Workshop.doc](#)
<http://nni.arizona.edu/>
palmer@ecr.gov
www.ecr.gov

Ex. 5 - Deliberative

Thanks - Tami

~~Equality - With Great Respect for the People We Serve ~~~~~

Tami Fordham
Alaska Resource Extraction Tribal Policy Advisor
Tribal Trust and Assistance Unit
EPA Region 10 - Alaska Operations Office
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Region 10 EPA Home Page
<http://www.epa.gov>

Region 10 Mining Website
<http://yosemite.epa.gov/r10/ECOCOMM.NSF/Programs/mining>

Region 10 Grants Administration Unit
<http://yosemite.epa.gov/r10/omp.nsf/webpage/Region+10+Grants+Administration+Unit>

*EPA Tribal Portal
<http://www.epa.gov/tribal/>

EPA Community Action for Renewed Environment
<http://www.epa.gov/CARE>

----- Forwarded by Tami Fordham/R10/USEPA/US on 06/17/2008 04:34 PM -----

Sarah Palmer <palmer@ecr.gov>
06/13/2008 06:10 PM
To 'Aaron Wernham' <aawernham@pol.net>, Tami Fordham/R10/USEPA/US@EPA, Mahri Lowinger/R10/USEPA/US@EPA, Dianne Soderlund/R10/USEPA/US@EPA, Kirk Emerson

<emerson@ecr.gov>, Adrienne Fleek/R10/USEPA/US@EPA
cc Gail Brooks <brooks@ecr.gov>
Subject RE: possible role for IECR?

Hello all,
Tami, Mahri, Dianne, and Adrienne – sorry we missed you yesterday!

Kirk and I had a valuable conversation with Aaron. It sounds like the mining exploration, multiple governing bodies, social dynamics, and history create an intricate and challenging situation. We explored two key items on the call with Aaron: how a voice can be created amongst the villages in the regions impacted by mining exploration and are there ways for the communities to identify common interests and perhaps shared visions for their regions. It sounds like EPA is working hard on these issues and if there are ways that we can support and help in that effort we would be delighted.

I mentioned to Aaron that the Institute is providing a training on Interest Based Negotiation in Region 10 in July. The training is primarily for EPA NEPA Review staff but I understand that it might be open to others in EPA. Attached is a flier about the training. My colleague Cherie Shanteau-Wheeler is providing the training. The training is an outcome of work that I have been doing with the Office of Federal Activities in partnership with EPA's Conflict Prevention and Resolution Center to identify opportunities for NEPA reviewers to work more collaboratively.

Another program that might be valuable to learn more about is the Udall Foundation's Native Nations Institute (NNI). NNI provides executive leadership training to tribal leaders, policy analysis for tribes, and has tremendous expertise in governance issues for Native nations. Their website is <http://nni.arizona.edu/>

Tami, Mahri, Dianne, and Adrienne I'd like to learn more about what is happening from your perspectives if you have the time. I am in the office all next week.

Sincerely,
Sarah

Sarah Palmer
Senior Program Manager
U.S. Institute for Environmental Conflict Resolution
130 South Scott Avenue, Tucson, AZ 85701
Direct Telephone: 520.901.8556 Fax: 520.901.8557 Cell: 520.940.3857
Email: palmer@ecr.gov Website: www.ecr.gov

From: Aaron Wernham [<mailto:aawernham@pol.net>]
Sent: Thursday, June 12, 2008 12:34 PM
To: Fordham.Tami@epamail.epa.gov; lowinger.mahri@epamail.epa.gov; soderlund.dianne@epa.gov;
Kirk Emerson; fleek.adrienne@epa.gov; Sarah Palmer
Subject: RE: possible role for IECR?

All,
We were victims of a time-zone miscommunication this morning. Kirk and Sarah, I spoke with EPA at 11:00 Alaska time, just after we hung up. They will be interested to see Sarah's summary and any information you can pass along. Also, several Alaska office EPA people may be attending the July training in Seattle, so that might provide an opportunity for people in the Alaska office to talk at greater

length with IECR staff.

If, after Sarah's email, there is interest in trying for another conference call, let me know.

Thank you all for your time and interest!

Aaron

> On Thu, June 12, 2008 2:20 pm EDT, Fordham.Tami@epamail.epa.gov wrote:

>

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> We had agreed to do the meeting at 11am AST, if everyone is still
> available I will open the line at 11am AST.

>

> Thanks -

> Tami

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> Mahri

> Lowinger/R10/USE

> PA/US To

> "Aaron Wernham"

> 06/12/2008 10:18

> AM cc

> aawernham@pol.net, Dianne

> Soderlund/R10/USEPA/US@EPA,

> emerson@ecr.gov, palmer@ecr.gov,

> Tami Fordham/R10/USEPA/US@EPA,

> fleek.adrienne@epa.gov

> Subject

> RE: possible role for IECR?

> (Document link: Tami Fordham)

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> Hi Aaron,

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> I think we're on at 11 am. I've been out sick most of this week, but
> the latest I heard was that we were still on at 11.

>

> For teleconference [REDACTED] code [REDACTED]

>

> I have not seen Tami this week. [Ex. 6 - Personal Privacy] and I think she's in a
> meeting right now.

>

> Mahri
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> ~~~~~
> Mahri Lowinger - Tribal Coordinator
> Tribal Trust & Assistance Unit
> US EPA - Alaska Operations Office
> 222 West 7th Ave. Box 19
> Anchorage, AK 99513
> phone: (907) 271-6334
> fax: (907) 271-6340
> toll free: 1-800-781-0983
> lowinger.mahri@epa.gov
> ~~~~~
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>
> "Aaron Wernham"
> To
> palmer@ecr.gov,
> 06/12/2008 10:13 aawernham@pol.net, Mahri
> AM Lowinger/R10/USEPA/US@EPA
> cc
> Dianne
> Soderlund/R10/USEPA/US@EPA,
> emerson@ecr.gov, Tami
> Fordham/R10/USEPA/US@EPA
> Subject
> RE: possible role for IECR?
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> Sarah, Kirk, and I are on the conference line, but it hasn't been
> activated: Marhi and Tami -- are you still available for this call?
> Call me at Ex. 6 - Personal Privacy
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> On Wed, June 4, 2008 7:23 pm EDT, Sarah Palmer wrote:
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> Aaron,
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> That time works for Kirk and me.Ã,
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> I look forward to the call.
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> Best,
> Sarah
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> Sarah Palmer
> Senior Program Manager
> U.S. Institute for Environmental Conflict Resolution
> 130 South Scott Avenue, Tucson, AZ 85701
> Direct Telephone: 520.901.8556 Fax: 520.901.8557 Cell: 520.940.3857
> Email: palmer@ecr.gov Website:
> www.ecr.gov
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> From: Aaron Wernham
> [mailto:aawernham@pol.net]
> Sent: Wednesday, June 04, 2008 3:44 PM
> To: Lowinger.Mahri@epamail.epa.gov; aawernham@pol.net
> Cc: aawernham@pol.net; soderlund.dianne@epa.gov; Kirk Emerson; Sarah
> Palmer; fordham.tami@epamail.epa.gov
> Subject: RE: possible role for IECR?
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> Sarah, Kirk, and EPA,
> I have spoken with Marhi and Tami at EPA -- it sounds as if Thursday,
> 6/12, at
> 11:00 PDT/10:00 AST will work for us. Some of the larger EPA group may
> not be able to make it: I assume that if the first conversation is
> fruitful,
> there may be interest in another call at some point in the future.
>
> So, if that time works for Sarah and Kirk, lets confirm for 6/12. EPA
> has
> kindly supplied a teleconference number:
>
> [REDACTED]
> Passcode: [REDACTED]
>
> Let me know if there are any problems.
>
> Thanks, everyone,
>
> Aaron
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> > On Wed, June 4, 2008 1:17 pm EDT, Lowinger.Mahri@epamail.epa.gov
> wrote:
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> >
> > I'm available next Thursday, June 12, but I'm not working on Friday,
> > June 13.
> >
> > ~~~~~
> > Mahri Lowinger - Tribal Coordinator
> > Tribal Trust & Assistance Unit
> > US EPA - Alaska Operations Office
> > 222 West 7th Ave. Box 19
> > Anchorage, AK 99513
> > phone: (907) 271-6334
> > fax: (907) 271-6340
> > toll free: 1-800-781-0983
> > lowinger.mahri@epa.gov
> > ~~~~~
> >
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> >
> > "Aaron Wernham"
> > To
> > palmer@ecr.gov,
> > 06/03/2008 07:34 aawernham@pol.net, Tami
> > PM Fordham/R10/USEPA/US@EPA

> > cc
> > Dianne
> > Soderlund/R10/USEPA/US@EPA,
> > emerson@ecr.gov, Mahri
> > Lowinger/R10/USEPA/US@EPA
> > Subject
> > RE: possible role for IECR?
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> > Sarah, Kirk, and all,
> > OK -- I am pretty free on Thursday 6/12, and Friday, 6/13. AMs would
> > work best (I will be in the PST time zone on those days), but I could
> > make time on either afternoon if necessary.
> >
> > EPA folks...?
> >
> > Thank you for being flexible!
> >
> > Aaron
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> > On Tue, June 3, 2008 8:31 pm EDT, Sarah Palmer wrote:
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> > Hi Aaron and all,
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> > I am in day long meetings June 9-11. The earliest I am
> > available next week is Thursday June 12 at 11 AM PDT which also looks
> > good for
> > Kirk. Friday June 13 appears open for both of us.

>> We are available for a
> conference call after 1:30
> Tucson
>>> time (Pacific time essentially) on Thursday or Friday. Let me know
>> what
>>> would
>>> work for the EPA staff. If you need a conference call-in number, we
>>> would be
>>> glad to arrange that.

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>>> Kirk

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>>> Kirk

>>> Emerson, Ph.D.

>>> Director, U.S. Institute for

>>> Environmental Conflict

>>> Resolution

>>>

>>> Morris K.

>>> Udall Foundation

>>> 130 South Scott Avenue, Tucson, AZ 85701

>>> VOICE 520-901-8510 FAX 520-901-8511

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>>> emerson@ecr.gov www.ecr.gov

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 >>> Dear Kirk,
 >>> Dinah warned me that you were out of the office, and very busy:
 > thanks
 >>
 >>> for
 >>> agreeing to make some time! I am free all day on Thursday and Friday
 >
 >> of
 >>> this week. If either of those days works for you, please just let me
 >
 >>> know
 >>> the time and best number to call. If not, let me know a couple of
 >>> alternate times, and I will call you. If you don't have any
 > objection,
 >> I
 >>>
 >>> might invite a couple EPA staff to call in as well (in which case,
 >> maybe
 >>> we
 >>> need a conference line?) -- they are very interested to talk this
 >>> situation
 >>> over as well.
 >>>
 >>> I look forward to talking with both of you soon. Below, I have given
 >
 >> an
 >>> overview of some of the issues that I am hoping we might be able to
 >>> address.
 >>>
 >>> Sincerely,
 >>>
 >>> Aaron Wernham, MD, MS
 >>>
 >>>
 >>> The Mines:
 >>> There are two large mines currently in serious exploration
 > (pre-NEPA)
 >
 >> in
 >>> SW
 >>> Alaska -- the Pebble Mine and Donlin Creek Mine. Both would be

> immense
 > >
 > > > open pit mines -- Pebble would actually involve construction of the
 > > > world's
 > > > largest earthen dam to contain tailings. Donlin is at the headwaters
 >
 > > of
 > > > the Kuskokwim river, upstream from ~30 villages. All told,
 > considering
 > >
 > > > downstream subsistence effects as well as regional economic effects,
 >
 > > > these two
 > > > mines will have fairly direct impacts on something like 70 villages
 > > > (each a
 > > > separate federally recognized tribe).
 > > >
 > > > The Political Setting:
 > > > I'm sure you are both familiar with the Alaska Native Claims
 > > Settlement
 > > > Act
 > > > (ANCSA), which created the unique political situation in Alaska. As
 > a
 >
 > > > brief overview, ANCSA created a system of regional and village
 > > > corporations to
 > > > receive the land and financial claims settlements: tribes,
 > therefore,
 >
 > > do
 > > > not
 > > > have true jurisdiction over most lands in Alaska, nor do they have a
 >
 > > > strong
 > > > economic base. Under this system, there is an complex and fragmented
 >
 > > > system of political representation, land management authority, and
 > > > financial
 > > > resources:
 > > > -Tribal governments in each village, generally with very little
 > source
 > >
 > > > of
 > > > income
 > > > -Village for-profit corporations in many villages
 > > > -Regional for-profit corporations (Calista and Bristol Bay Native
 > > > Corporation
 > > > are the relevant ones for these mines -- both are developing
 > business
 >
 > > > partnerships with the mining companies)
 > > > -Regional non-profit corporations (AVCP and Bristol Bay Native
 > > > Association)
 > > > -Regional health corporations
 > > >
 > > > Compounding this situation, many of the for-profit corporations do

> not
 > >
 > > > enroll
 > > > new tribal members; For example, only those born before ~ 1972 are
 > > > eligible to
 > > > be shareholders in Calista corporation.
 > > >
 > > > Consequently, at baseline, it has proven extraordinarily difficult
 > for
 > >
 > > > communities to speak with a unified voice on any issue.
 > > >
 > > > The Problem:
 > > > Tribes in these regions are now trying to figure out how to deal
 > with
 >
 > > > the
 > > > mining
 > > > proposals. To date, much of the discourse has focused on lining
 > > > up as "pro or anti-mining." Villages are becoming terribly
 > > > polarized as a result.
 > > >
 > > > I recently helped organize a 2-day NEPA and public health training
 > for
 > >
 > > > the
 > > > tribes. It was an amazing experience -- over 60 elders and tribal
 > > > leaders
 > > > from the region attended. Our objective was the presentation of
 > > > strategies for effective participation in the mine permitting
 > process
 >
 > > --
 > > > so
 > > > that if mining goes ahead, tribes will help shape the alternatives
 > > > considered,
 > > > the environmental controls, monitoring strategies, economic inputs
 > to
 >
 > > > their communities, etc. Yet there was such a strong focus among
 > > > attendees
 > > > on whether or not mining should be allowed that people weren't able
 > > > to develop a more cohesive vision for how to participate and
 > > collaborate
 > > >
 > > > during the mine permitting process. People were respectful, but
 > > > there is an undercurrent of mistrust. There have been accusations in
 >
 > > the
 > > >
 > > > Pebble region that the mine is bribing native leaders; in the Donlin
 >
 > > > region,
 > > > people
 > > > have accused Calista of making deals without consulting
 > shareholders,

>
 > > > and of
 > > > refusing to share details on the nature of the agreements. On the
 > > other
 > > > side,
 > > > there were a lot of concerns expressed about this meeting by
 > > pro-mining
 > > > communities, who accused Alaska Inter-Tribal Council of excluding
 > > them.
 > > >
 > > > This disunity, contention, and political division are impacts by
 > > > themselves, for communities that share much heritage, tradition, and
 >
 > > > family
 > > > relationships. Perhaps even more importantly, though, this division
 > > will
 > > >
 > > > prevent effective participation in the mine permitting process. Both
 >
 > > pro
 > > >
 > > > and anti-mining communities share much common ground: they are
 > > > subsistence
 > > > communities, and most people in the region would probably agree that
 >
 > > > preserving
 > > >
 > > > the subsistence way of life is essential to their well-being and
 > > > survival. The best way to protect ensure that the permitting process
 >
 > > > develops appropriate environmental controls, monitoring, mitigation,
 >
 > > and
 > > > focus
 > > > on the needs and priorities of impacted communities, of course, is
 > > > organized
 > > > and effective participation by the communities in the permitting
 > > > process.
 > > >
 > > > How would IECR help?
 > > > I look forward to your thoughts on this. One general idea would be
 > > > a region-wide conflict resolution process with the objectives of:
 > > > -Defining areas of agreement between pro and
 > > > anti-mining communities, and using this to develop
 > > > an community-driven agenda for the permitting process
 > > > -Developing an effective mechanism for tribal
 > > > participation. There are lots of barriers -- political
 > fragmentation,
 >
 > > > not to mention geographic, seasonal challenges
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> > > Dinah,

> > > Thank you for helping with this -- I'll talk with you soon.

> > >

> > > Kirk,

> > > I would love to talk through this situation with you -- it presents

> a

>

> > > fascinating set of challenges and opportunities. There isn't a big

> > rush,

> > >

> > > as Dinah mentioned, but it would be great to talk with you whenever

> > you

> > > have

> > > time.

> > >

> > > Aaron

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>>> On Thu, May 22, 2008 1:57 pm EDT, Dinah Bear wrote:

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